TEXAS TO GET H. CLAY PIERCE

U. S. SUPREME COURT DISMISSES OIL MAN'S APPEAL.

Here New and No Missouri Officers Have Shown Up Yet-Hint of a Possible Application for a Rehearing-Charge in Texas Is Perjury and Two Years Old.

Henry Clay Pierce of the Waters-Pierce Oil Company, who has been living at the home of R. T. Wilson, Jr., at 15 East Fiftyseventh street, was unpleasantly surprised vesterday by news from Washington that the United States Supreme Court had dismissed the appeal by which he sought to avoid extradition from Missouri to Texas, a State where the Waters-Pierce company is not only not esteemed but not even tolerated. Texas wants to try Mr. Pierce for swearing that his company was not a member of any combination for fixing the price or output of oil in that State and has indicted him for perjury. Mr. Pierce had given \$20,000 bail pending the appeal. At the Wilson house it was said last night

that Mr. Pierce had gone away but was thought to be in town. He did not leave his address with the servants. At the Hotel Plaza, where also Mr. Pierce has apartments, it was said that he was not in, and there were no signs about the Plaza that any officers were looking for him. It will take some days to remit the Washington decision to St. Louis.

Joseph H. Choate, Jr., of Evarts, Choate & Sherman, counsel for Mr. Pierce, said last night that no one knew what would be done until the papers in the case got here. Joseph H. Choate the elder is associated with this firm as counsel.

Mr. Pierce sent a telegram to his counsel in St. Louis, Judge H. S. Priest, and from what Mr. Priest said afterward it was evident that Mr. Pierce does not intend to be taken to Texas for trial if further appeal to courts can prevent it. The question with his counsel is whether any further appeal will be effectual. Judge Priest said that Pierce's counsel will not advise him on the resistance question until they see the Federal Supreme Court's decision which may give grounds for an application for a rehearing. Judge Priest implied that he had some cards up his sleeve.

"You may say," said he, "that Mr. Pierce has not started for Texas yet. I have told Mim there is no chance of his conviction on such a flimsy indictment as Mis one is if he can get a fair trial. My information is that the indictment was procured without a single witness having gone before the Grand Jury. The procedure by which Texas's Attorney-General obtained the indictment was decidedly unusual if not altogether illegal. The name of J. P. Gruett is attached to the indictment, but Gruett did not appear before the Grand Jury. The whole business is a political game and the prejudice arising from that condition is the only thing Mr.

When asked if Mr. Pierce had intended going to Europe this summer, Mr. Priest at I know of planned a trip to Europe, and I would be glad if Mr. Pierce would accept the invitation to go abroad with me."

Mr. Pierce's troubles began in December, 1905, when the process servers from the State of Missouri besieged him for several weeks at the Waldorf-Astoria in their efforts to subposes him in the inquisition conducted by Attorney-General Hadley of Missouri into the connection between the Standard Oil Company and the Waters-Pierce Oil Company. Mr. Pierce finally capitulated by promising to testify in St.

He was ill at that time and was not examined until September. At the hearing he testified that up to the time when his company was reorganized in 1900 and practical control of it passed to the Standard Oil Company the company made a profit of from 600 to 700 per cent. a year, doing a large business in Texas. He said that an inexperienced agent had made an agreement with the Standard Oil Company Texas in 1900 which resulted in the expulsion of the Waters-Pierce company from that State. He himself went to Texas and was informed that no company with affiliations with the Standard could do business in that State. This was explained to the Standard Oil people and led to a reorganization of the Waters-Pierce com-

Mr. Pierce said that up to May 29, 1990, he had 100 per cent. of his company's stock. Then he transferred 65.5 per cent. to an unknown party representing the Standard Oil Company. It was agreed that he should continue to control the Waters-Pierce company, that the name of the Standard as the majority stockholder should not appear on the company's books and that the stock should remain in his name. When he was asked if the purpose of this was not to cover up something and to get a liceuse in Texas objection to the question was sustained.

In February, 1907, Mr. Pierce was indicted by the Grand Jury at Austin, Tex., for false swearing, but before he could be arrested he left St. Louis for New York. The indictment charged that on May 31, 1900, Mr. Pierce made an affidavit that the Waters-Pierce Oil Company had not entered into any agreement or understanding with any corporation, partnership, firm or individual to regulate the price of any article or commodity. It charged that at the time Mr. Pierce made the affidavit he knew that the company had entered into an agreement with the Standard Oil Company to control the price of oil in Texas and that the Standard Oil Company had acquired the controlling interest in the Waters-Pierce company. Mr. Pierce was not arrested until the following May. He resisted extradition, but Gov. Folk granted permission for his removal and he was remanded to the custody of the chief of police to await the arrival of officials from Texas. Pierce then applied to the Federal Court for his release on a writ of habeas corpus, contending that the indictment of the Texas court stated no crime, and that even if it did prosecution was barred by the Texas statute of limitations.

The court denied the petition, holding that the indictment did contain the substance of a crime and that as the three year statute of limitation did not run during the period that Pierce was out of the State of Texas the crime fell within the limit. The Supreme Court yesterday affirmed the judgment of the lower court that the indictment sufficiently showed the com-

mission of a crime to warrant his removal to Texas for trial, but anyhow, if it were found defective or otherwise insufficient, that matter could be remedied in the trial

The court, said Justice Moody, who delivered the opinion of the unanimous bench, had already decided that an indictment in order to constitute a suffi-cient charge of crime to warrant interstate extradition need show no more than that the accused was substantially charged with crime. The present indictment met and surpassed that standard. and was enough. If more were required it would impose upon courts in the trial of writs of habeas corpus the duty of a ritical examination of the laws of States with whose jurisprudence and criminal procedure they could have only a general acquaintance. Such a duty_would be an ntolerable burden, certain to lead to errors in decision, irritable to the just pride of the States and fruitful of miscarriages of justice. The duty ought not to be assumed unless it were plainly required by the Constitution, and in the opinion of the court there was nothing in the letter or spirit of that instrument which required or permitted its performance.

Two cases involving the validity of the proceedings under which the Waters-Pierce company was ousted from Texas are now ending in the Supreme Court.

TEXAS IN NO HURRY. AUSTIN.Tex., June 1 .- The Texas authoriies are waiting for the mandate of the United States Supreme Court, which it is believed here will not be issued until a notion for rehearing has been filed and

As to-day was the last day of court Mr. Pierce's motion could hardly be submitted until next fall, and anyhow the Texas authoriies would not bring Pierce to Texas now, s the present term of the Travis county District Court will have ended before he ould be produced and tried. Sheriff Matthews, who went to St. Louis for Pierce, will be responsive to the order of the district court, which will act according to the mandate of the Supreme Court when it is received.

LEAVE TO PRINT FOR FIVE DAYS.

The Congressional Record Burdoned With Speeches That Were Never Delivered. WASHINGTON, June 1.-Before Congress adjourned members of the House voted themselves "leave to print for five days" after adjournment. Many worthy Representatives were not slow to take advantage of the opening for the appearance in print of oratorical flourishes. The first issue of the appendix to the Congressional Record is a bulky document, bearing the burden of orations delivered in silence. Some of the speeches bear dates running back for weeks giving the earmarks of authenticity. No unsuspecting reader could doubt they were not delivered from the floor

n Websterian style. Minority Leader Williams, who led the fight against the passage of the resolution granting "leave to print," avails himself of the privilege by inserting a speech on the currency question. It reads well, notwithstanding that the audience was limited to the stenographer to whom he dictated the impressive argument.

Representative Smith of Missouri gets n with some red hot sentences expressive of his feelings, boldly expressed and supposed to have burned the ears of the Repub-Mr. Smith's subject gave him an opportunity for a spread. It was about the demands of labor and the merited condemnation of a Republican Congress that had dared to ignore it. At the end of Mr. Smith's speech, delivered only to himself since Congress adjourned, appears in parenthesis the words "(applause on the

Democratic side.)" Proof is furnished by Representative Bannon of Ohio in the Congressional Record f speeches never delivered that the negroes of Ohio are all for Taft. Representative Lane of Ohio contributes an enlightening speech on national corporations. There are others, many of them, and several more days left of the leave to print. The most silent member of the House may become immortal in the next few days.

SAYS RACE BILL WILL PASS. Agnew Expects to See It Enacted by Nex

Week Thursday. Senator George B. Agnew, who will inroduce the anti-racetrack gambling bill next Monday night after the reading of the message from the Governor advocating the legislation, said yesterday that he was atisfied that the bill would pass by about Wednesday or Thursday of next week. "Senator Foelker will be in attendance," he said: "there will be no absentees and the vote needed to pass the bill will be obtained. There may be an attempt to prevent a vote by filibustering, but I have the word of Senator Raines, the majority leader, that

dilatory tactics will not be allowed." ALBANY, June 1 .- A quietus was put on rumors that Senator O'Neill, representing the Thirty-fourth district, had been induced to change his attitude on the antiracetrack gambling bills to-day by a state-ment issued by the Senator from his home town, St. Regis Falls. The statement is as

Rumors of a change in my attitude on he Agnew-Hart bills are false. I shall continue to support Gov. Hughes as vigorously as

BOOST FOR "THE OLD TICKET! Movement in Indiana to Renominate Roose-

veit and Fairbanks. INDIANAPOLIS, June 1 .- An effort is makng to capture the Indiana delegation to the Chicago convention for President Roosevelt by suggesting to the delegates that the nomination of Fairbanks for first place is impossible and that Indiana would assist the President's supporters in bringing about his nomination.

Many of the delegates have been approached the past week with such a proposiion and friends of the Vice-President believe that an organized effort is making to stampede the convention to "the old ticket. The delegates are reticent, and it is impossible to learn who is back of the scheme. but the name of former Gov. Durbin is being mentioned and also that of Judge Robert S. Taylor of Fort Wayne. Both are warm friends of the President and both are warm friends of the President and both are opposed to Fairbanks for President.
Vice-President Fairbanks returned from Washington to-day and will remain here till after the national convention. He declined to discuss politics or the work of Congress, saying that there was nothing on his mind but a desire to reach home and to enjoy its quiet.

DEWEY'S OLD MADEIRA OR SHERRY.

H. T. Dewey & Sons Co., 136 Fulton St., New York.

- Ads.

WHITRIDGE UPSETS HIS HOTEL

DECIDES TO GO OUT OF BUSINESS, BEGINNING WITH THE WINDOWS.

Some Thirty Couples Expessed to the Cool Morning Air by the Wrecking Gang -Then the Landlord Calls the Police and Gets Ready to Cellect Damages.

That ancient landmark of Harlem the Mount Morris Hotel, at 129th street and Third avenue, which has been under the rule of Receiver Frederick W. Whitridge since January, withstood successfully an assault by Mr. Whitridge's forces yesterday morning and was open for business

last night as usual. Mr. Reineman, it appears, has been running the hotel as lessee for four years. Nobody ever came bothering him when the Third Avenue Railroad had the hotel, but Mr. Whitridge was different. When he learned that he was running a hotel he delved into history and found that the Third Avenue had been in the hotel business for some time. It bought the Mount Morris when it wanted to make a loop for the old cable cars. Part of the hotel was cut away and the rest left to act as a shelter for the tired and a watering place for travellers over the Harlem bridge.

Mr. Whitridge ran over hastily some the hotels he was familiar with, but he couldn't recall that he had ever heard of the Mount Morris. None of his friends had ever spoken of it and he decided to give it a look. One look was enough. He went up to the Harlem terminus of his road and came right back again, without going inside the hotel. The outside impressed him unpleasantly. It wasn't at ill up to his ideas of what hotels ought to be and there was no telling what the Public Service Commission might say when it aw the place.

Mr. Whitridge thought over the matter and without consulting Mine Host Reine-man wrote to the bondholders as follows:

At 129th street and Third avenue there are in front of the car barn a building used as a hotel and several tumbledown stores or saoons. These buildings are all in an undedrable condition, and as they would need very considerable repairs in any event . I propose to clean out the main building, which s used as a hotel, and construct inside the present walls proper offices for the accommodation of the Third Avenue and other lines.

Having thus signed the death warrant of he old hotel, Mr. Whitridge proceeded to the execution. Yesterday was the day set, and at 7 o'clock yesterday morning the sixty guests, most of them couples, were oused from their slumbers by the tramping of feet up the winding stairs. Then came the sound of axes on the doors, the very doors behind which they were sheltered Down went the doors, out of bed jumped nen and women and in rushed the forces of Mr. Whitridge, led by Edward Maher,

is general manager.

After reaching the top of the grand stairvay, where the desk was, Mr. Maher had divided the sixty men recruited from the ear barn and sent a party to each floor for a simultaneous assault. These divisions were subdivided into skirmishing parties, one to each room.

One of the largest rooms on the second or of the old hotel was the i of the rockmen's union. It was invaded like the rest, the sashes and frames taken out of the windows and piled in a heap on the floor. All of the bedrooms facing Third venue and the river were likewise invaded, and before the occupants had time to dress the windows were gone and the hotel seemed to be tumbling about their heads.

Some one had sent for Reineman. He got to the head of the stairs, and as the men came back for more windows he began throwing them down stairs, while behind him the startled guests, with and without baggage, cheered.

"The first man that comes up here goes to the bottom!" shouted Reineman to the invaders. "I'm the tenant here, and you can't punch holes in this hotel while I'm here."

The police came and the guests went back to their rooms for their clothes and dressed themselves in the halls, which were a little better screened from the public gaze than heir late rooms. Heineman and Maher

went to the Harlem court. Reineman asked for protection from the louse wreckers. He said that his lease had ten more months to run and that he had the privilege of a five years renewal. The Magistrate advised the wreckers to see Judge Lacombe, who appointed the receiver, before doing any more wrecking, and that ended yesterday's hostilities. Reineman went back and counted twentytwo broken windows and a lot of broker doors and said that he would begin making

out his bill to-day. "It was a perfect outrage," he said. "Why. the receivers' men, without serving any dispossess notice, mind you, walked in here and broke right into rooms that were occupied. Think of it! There will be

nice bill to pay for this." Receiver Whitridge was found in his office at 59 Wall street. It is a quiet, restful and refined office. On the wall hang the Ten Commandments in a frame, Mr. Whitridge didn't seem to think that he would be defeated in his determination to get rid of his hotel. It was a mere matter of going this morning to Judge Lacombe and getting special authority to renew the assault.

"The men have been called off for the day but I think the hotel will be removed," said Mr. Whitridge. "Was there anything the matter with the

hotel?" inquired the reporter. "Well," said Mr. Whitridge, looking over to the Ten Commandments, "I have heard some reports about it and I once saw the outside of it, and it certainly wasn't nice at all to look at, not at all. No, I don't know what the inside of it is like, because, you see, I didn't go inside that time; I went up to look at it. but I have been told that it is

CHICAGO COPS CENSOR "MACBETH" Moving Pieture Film Loses Macduff and

Dagger Scenes Before Presentation. CHICAGO, June 1.-Lieut. Joel A. Smith head of the police squad recently detailed to censor moving picture shows, to-day expurgated a film depicting scenes from Shakespeare's "Macbeth." Lieut. Smith declined to approve the

cene depicting the duel between Macbeth and Macduff. Another feature cut out showed the stabbing of King Duncan. The police also ordered out a scene showing Macbuf wiping blood from a dagger.

The condemned scenes were dipped out and then the film got the approval of the police department.

FEAR OF REVOLUTION IN PANAMA MAURETANIA BEATS 'EM ALL If Senor Arias Is Chosen President-The

Situation Described as Very Alarming. WASHINGTON, June 1.-According to the expressions heard in official circles there is great fear that a revolution will occur on the Isthmus of Panama if Señor Arias, the present Secretary of State, is elected President. The situation is described as very alarming. Herbert G. Squiers, the American Minister, who was summoned home by Secretary Root, telegraphed the State Department to-day that he would leave Colon for New York to-morrow on the Royal Mail

President Amador is not a candidate for

reelection. The other candidate than Sefior

Arias is Señor Obaldia, who has served as

acting President while Amador was in

steamer Magdalena.

Europe. During the period of that service the foundation for the present unessiness was laid. He removed certain officials who were accused of grafting and made others turn over to the Government money which it is alleged they intended to put in their pockets. Amador rescinded these actions when he resumed the Presidency. Both Obaldia and Arias are Conservatives The Liberals, who include the negro element, have indorsed Obaldia and are expected to start an insurrection if their man is de-clared defeated. The government has removed the Governors of the provinces of Colon, Cherque and Coela, and it is charged that this was due to the influence of Arias, who will help his own cause thereby. Arias

this is an issue of the campaign. The election will take place on July 11. Under the treaty between Panama and the United States this Government will have the right to preserve order on the Isthmus at any time. There is a hesitancy on the part of officials to admit that any resort to that right through the despatch of troops is contemplated, but it is evident that the subject has been considered and may be determined on Minister Squiers's visit to Washington.

COL. COEY BALLOONING WEST. Aeronaut and Two Campanions Sail From Quincy, Ill., to Break Records.

QUINCY, Ill., June 1.-The mammoth palloon of Col. Charles Andrew Coey of Chicago started from this city at 6 P. M. o-day on a trip to break records. The balloon took a course nearly due west and continued in that direction. The occupants of the basket are Col. Coey, president of the Federation of American ero Clubs; Capt. G. L. Bumbaugh of St. Louis, builder of the balloon, and Charles I. Leichliter, a newspaper man.

QUEEN CITY, Mo., June 1.-The balloon f Col. Coey of Chicago passed here at 8:45 chock this evening. NEWARK, Mo., June 1.-A message was

ropped here to-night from Coey's balloon saying it was sailing due west fifteen miles an hour, 1,666 feet up, with fine weather.

GIRL LAWYER HONORED.

Wiss Helen Begg and Two Brothers Adnitted to Practise in U.S. Supreme Court. WASHINGTON, June 1 .- The whole Begg amily was to-day admitted to practise pefore the United States Supreme Court. They are from New York city. The Beggs comprise Miss Helen, Alexander and Roderick. The spectacle of three members of a family being enrolled among those attorneys entitled to the privilege of practising law before the highest court in the land was unusual and excited a great deal of interest. Miss Begg, a handsome young girl, is the twenty-seventh woman to be admitted to practise before the Supreme Court. Among the other twenty-six is Belvs, Lockwood, former candidate for the Presidency, who stands first on the list.

WILL DIVIDES BIG ESTATE.

Mary Ann Aster Woodcock Distributes \$2,000,000 -\$80,000 to Charities. MOUNT VERNON, N. Y., June 1 .- By the will of Mary Ann Astor Woodcock, a life resident of Bedford, Westchester county. and a relative of Herbert G. Squiers, ex-United States Minister to Cuba, which was filed in the Westchester county Surrogate's office at White Plains to-day, the estate, estimated at \$2,000,000, is divided among relatives, charitable institutions and serv

To her niece, Mary Isabelle Woodcock, the testatrix leaves all her real estate, including her country mansion at Bedford and houses at 388 Bowery, 247 Grand street, houses and lots in East Twenty-sixth street and at 856 and 862 Sixth avenue, Manhattan, and also all her United States bonds and West Shore and Houston and Texas Railway bonds. The testatrix's brother, William P. Woodcook, receives \$15,000 in cash and the house at 357 Broome street, Manhattan.

Other bequests are: \$5,000 to the trustees of the Diocesan Convention of New York for the benefit of St. Matthew's Episcopal Church at Bedford; \$5,000 to the trustees of the fund for aged and infirm clergyme of the Episcopal Church, \$5,000 to the Methodist Episcopal Hospital of Brooklyn, \$5,000 for the relief of widows and orphans of deceased clergymen and aged and infirm clergymen, \$5,000 to the Episcopalian Clergymen's Retiring Fund Society and \$5,000 to my friend Helen M. Thompson, with the request that she use the income from day to as she may see fit."

POOR MEN IN THE TOMBS. live Them Speedy Justice, Says Judge to Grand Juries.

John D. Rockefeller, Jr., was excused as Grand Juror yesterday because he had served recently on the Grand Jury. Richard L. Brewster, a merchant, is foreman of the morning Grand Jury and Alfred E. Morling, real estate dealer, is foreman of the afternoon Grand Jury. In swearing in the Grand Juries Judge Mulqueen of General Sessions said:

"There are 153 prisoners in the Tombs. A poor man should not be delayed in his effort to get justice. The rich man takes care of himself."

Mrs. John A. Logan Injured by a Fall From a Car.

Washington, June 1.—Mrs. John A. Logan is confined to her apartments by injuries resulting from a fall from a street car. It was not throught she was hurt much when taken home, but she was so shaken that after two days in her room she is unable to move about without assistance, and her physicians say it will be ten days or two weeks before she will be able to go out.

FASTEST TRIP EVER MADE ACROSS THE ATLANTIC.

Time, 4 Days 30 Hours 13 Minutes - She Did 488 Miles in One. 28 Hour Day-Was Slowed by Feg on This Coast and Shy One Propeller Blade-Lusttania Beaten.

The Cunarder Mauretania, which anchored off Sandy Hook lightship at 7:50 o'clock last night, made the fastest trip ever done on the westward course and broke the record for a single day's run on the Atlantic lane, reeling off on the twenty-five hour day ending at noon on Sunday 685 miles, thus averaging 25.40 knots. The single day record had been held by the Lucitania, and was just three knots less than that of the Mauretania.

The Mauretania did not time herself from Daunt's Rock, outside Queenstown. as she came directly from Liverpool, but it is estimated that she was abeam of it a few minutes after 4 o'clock on Thursday morning. Her time between the racing marks, Daunt's Rock and the Sandy Hoo lightship, was 4 days, 20 hours and 12 minutes, and her average speed for the trip 24.86 knots. She covered 2800 miles or just one mile more than the Lusitania covered on her last trip this way, and she was 10 minutes ahead of the Lucitania's record. She broke her own best westward record by 3 hours and 47 minutes.

s accused of being a trust magnate, and She did her great act with one blade of one of her propellers gone. The others, however, appear to have been doing very well, thank you. A report from London said that she was coming here under only three screws. There is no doubt in the minds of her agents here that she would have beeten all records if she had not run into an extensive for bank.

At 8 o'clock yesterday morning Vernon H. Brown received a message from Capt Pritchard saying that the great ship was then within 270 miles of Sandy Hook lightship and that in the preceding fifteen hours, or from 5 o'clock on Sunday afternoon until the time the message was sent, she had averaged more than twenty-six knots. The captain reported that he had run into heavy fog and that he would have to reduce speed. That he had been forced to do this was apparent when he passed Nantucket lightship, as it had taken him four and a half hours to creep about seventyseven miles through the murk. This is at an average speed of about seventeen knots.

Allowing for the time, more than an hour she lost in the fog, the Mauretania would have beaten the Lusitania's record handsomely. But an average of 24.88, if she keeps it up for two consecutive trips, is more than enough to help her win the subvention of \$750,000 a year which she and her sister ships will be entitled to when each makes an average for one round trip of merely

24.50, which looks like a cinch.

As the Mauretania passed Nantucket lightship the air had cleared somewhat and she was going down the homestreto at top speed with horizontal pennants of black smoke from her four red funnels She passed so close to the lightship that the latter's crew and the liner's passengers could readily see one another and they exchanged cheers.

WOULD CUT SERVICE IN SUBWAY

And on Elevated, Too, for the Summer -Interborough Appeals for Relief. President E. P. Bryan and General Manager Frank Hedley of the Interborough Rapid Transit Company met the members of the Public Service Commission yesterday in executive session and appealed for some radical modifications of the orders relating to the service which the company is required to provide on the elevated and

It was contended by Mr. Bryan and Mr Hedley that the service now demanded by the commission was entirely too great for the amount of travel and that unless the company was permitted to make reductions for certain hours of the day in the number of trains run serious financial

trouble would result. In the last month there had been a large falling off in the number of passengers carried. Since the beginning of the year the commission had compelled the company to increase its car mileage 14 per cent. whereas the increase in travel had been only 5 per cent. In the corresponding period last year the increased traffic was 15 per cent. The commission was requested to allow the company to make up a new schedule allowing a reduced

service in the summer months. The matter was referred to Commissioners Eustis and Malthie, who will hold another conference to-day with Mr. Bryan and Mr. Hedley.

THIRD TERM RENUNCIATION.

President's Letter Said to Have Been Sent te U. S. Marshal Tyree of West Virginia.

WASHINGTON, June 1 .- According to a umor which found credence in Washington o-day, the identity of the mysterious person who received the alleged "no friend of nine" letter from President Roosevelt is stablished. The West Virginia citizen to whom this latest third term declaration was addressed is said to be Frank H. Tyree United States Marshal in that State. Tyree was for several years an employee of the Secret Service and until 1906 acted as Prasident Roosevelt's bodyguard, accompanying the President on all his journeys and being stationed at the White House when Mr. toosevelt was in Washington.

The White House authorities to-day, while not denying that the third term letter was written, declined to give the name of the West Virginian to whom it was said to have been addressed. The last time Marshal Tyree visited Washington he said the political sentiment in West Virginia was strong for Roosevelt's renomination, but the President is reported to have expressed the hope in writing to his former bodyquard that "no friend of mine" would vote for him at Chicago.

12 INCHES OF SNOW IN NEVADA. Region About Ely Begins June With the

Heaviest Precipitation of the Year. ELY, Nev., June 1 .- This part of Nevada had the heaviest snow of the year last night and early to-day, when twelve inches of snow fell. Reports from the country around show that the storm was general, approaching the proportions of a blizzard

STOLEN GAINSBOROUGH FOUND. "Girl and Dog" Under a Doorstep-Badl;

Scratched, but Can Be Reste Special Cable Despatch to Tun Syx. LONDON, June 1.-Gainsborough's "Girl and Dog," which was stolen from a private collection in Kensington in November, 1906, has been found wrapped in a newspaper beneath the doorstep of a house in the East. End of London.

The painting is much scratched and cracked, but probably it can be restored.

SECY GARFIELD OFF FOR HAWAII.

The Battleship Maine to Take Him to the Island From San Francisco WASHINGTON, June 1.—Secretary James R. Garfield will leave Washington to-mor-

row morning for Hawaii. The battleship Maine will take him from San Francisco to Honolulu. The Maine and the Alabama are scheduled to return to the Atlantic coast and they will do so via the Hawaiian Islands.

Mr. Garfield is on official business and will be absent from Washington about three months. His presence in Hawaii i needed to clear up a mass of adminis-trative detail that piles upon the Interior Department by reason of the time required for exchange of correspondence between he Secretary in Washington and the officials in Hawali.

LOWEST DEATH RATE SINCE '95. ecording to Health Department's Figures

for Week Ended Memorial Day. The city's death rate for the week ended May 30 was the lowest for any week since 1895, according to the figures of the Board of Wealth. The number of deaths was 1,885. The rate was 15.75 per thousand, against 18.38 for the same week-last

There were twelve deaths from typhoid fever last week, against five for the same week last year, and 149 deaths from heart disease, against ninety-two for the same week last year.

FIGHT FOR THE. ALLEN'S MONEY. Objections to Probate of Will Filed by Brothers and Sister.

The contest over the will of The. Allen of poolroom fame will come up for a hearing before Surrogate Thomas on Thursday. Objections to the probate of the will, which oft all the poolroom man's property to his adopted daughter, Minnie T. were filed yesterday with Clerk Washburn by Martin Van Buren Allen, brother of the estator; Hannah L. Meyers, a sister, and Frank L. Allen, William O. Allen and George H. Allen, half-brothers.

They allege that the execution of the will was produred by undue influence and fraud on the part of Minnie Ostheim and her husband, C. W. Owens. The con-testants allege also that The. Allen never did legally adopt Minnie Ostheim. The value of the estate is said to be in excess of \$300,000.

RYAN NOT GOING TO DENVER. Vothing to Say About Reported Gift to :

Bryan Campaign Fund Thomas F. Ryan was asked yesterday: Have you anything to say regarding our reported contribution to the Nebraska Democratic campaign fund to elect Mr. Bryan Senator in 1904?".

"Are you going to the Democratic na-

tional convention as a delegate?" "No." "Shall you be in Denver at the time of

the convention?"

"No." OLD JIM IRVING DROPS IN. Aged 87; Blind, and Hoping to Know An-

other Democratic President. One of the visitors who called on Charles . Murphy yesterday at Tammany Hall was old Jim Irving," as he is called by the remnants of his followers who supported him when he started the Irving Hall Democracy more than thirty years ago. Mr. Irving is now 87 years old and is blind. He was led into Tammany Hall yesterday by two friends and introduced to Mr. Murphy, who told him that he was pleased to meet such an old timer. Mr. Irving responded by saying that he hoped to live long enough to "see" the Democra tic party win again in a Presidential year.

95 IN THE SHADE IN BERLIN. spectators and Soldiers Overcome During Review for King Osear.

Special Cable Despatch to THE SUN.
BERLIN, June 1.—In the terrific heat of 95 degrees in the shade the Kaiser and King Gustav of Sweden reviewed the troops of

the garrison to-day. Two hundred and forty-eight soldiers were prostrated and 500 of the spectators were also overcome by the sun. The Kaiser shortened the review in consequence.

TO ARREST KINGDON GOULD. Fails to Appear on Speeding Charge War-rant Out, Ball Forfetted.

A bench warrant for the arrest of Kingdon Gould-was issued by the court of Special Sessions yesterday and a bond of \$100 that young Gould had furnished to insure his appearance yesterday for trial on a charge of speeding an automobile was forfeited. The bond was given by Fred Kruse, an

engineer living at 27 Manhattan avenue. Kingdon Gould was arrested on May 17 by Bicycle Policeman J. J. O'Rourke at 158th street and Fort Washington avenue. He waived examination in the Harlem court and was held for trial by Magistrate Butts under bond of \$190. The case was set down for pleading on May 25. Young Gould did not appear, however. Instead of forfeiting he bond then the Court postponed the case for a week and directed that Gould plead

vesterday, which he did not do. It is said that Kingdon Gould has gone to Europe for the summer.

President Presented With a Bust of Himself Washington, June 1.—The Italian Am-bassador called at the White House to-day to present to the President Francesco Vitters, a young Italian artist. The artist presented to the President a brosse cast which he had made representing the President in the attitude of bidding the Atlantic fleet godspeed on its departure from Hampton Roads on its world circling voyage.

17,082 Magriage Licenses. In the five months that the new marriage license law has been in effect 17,082 licenses have been issued in the five boroughs. In Manhattan the number has been 12,712 and in Brooklyn 3,889.

CELT WINS THE BROOKLYN

KEENE'S COLT, A HOT FAVORITE BREAKS TRACK RECORD.

Runs a Mile and a Quarter in 2:04 1-0. Setting Terrifle Pace Which Kills Of His Rivals-Fair Play is Second and Master Robert Third-More Than 25. 000 Persons Cheer the Comm Cott. Who Is Not Far Behtod Cotto

That James R. Keene's Celt, a threesar-old by Commando-Maid of Erin, is the equal of the mighty Colin was the opinion of hundreds of turf experts after he had won the \$25,000 Brooklyn Handicap. one mile and a quarter, at Gravesend yesterday afternoon in magnificent style. After the first quarter of a mile Celt made all the running and set such a terrific pace that nothing could live with him. H passed the judges a length and a half in front of August Belmont's three-yearold Fair Play, by Hastings-Fairy Gold. who under a drive had half a length over Samuel Emery's Master Robert, by Massgan-Flocarline.

For the first time in the history of the race therefore three three-year-olds out up the rich prize. Celt, under a perfect ride from Notter, ran the distance in 2:04 1-5. a new track record, the best previous time being 2:04 2-5, made last September by Dandelion, carrying 119 pounds. The best previous record for the Brooklyn was 2:05 2-5, made in 1903 by the three-year-

old Irish Lad with 103 pounds. Celt is the fourth three-year-old to capture the famous Gravesend classic, which has been won by James R. Keene five times with Hornpipe, Conroy, Delhi, Superman and Celt. The triumph of Celt and in fact the entire running of the race further proved the honesty of the turf under Jeckey Club rule, for the Keene colt, selected by the public as the winner immediately after he had defeated Jack Atkin at Belmont Park last week, was an overwhelming favorite and landed a fortune for the happy thousands who bet on him.

CELT IN GENERAL DEMAND.

Although practically all the eight starters received support there was such a general demand for Celt when 6 to 5 appeared against him that he was in many nstances backed off the boards, the general closing price being 4 to 5. Celt best Fair Play easily. It was only on Saturday that Fair Play in rain and mud was beaten half a length by the great Colin in the Belmont Stakes at a mile and three furiones In that affair Colin, had it not been for an error by Notter in miscalculating the inish mark, would have disposed of Fair

Play without being extended, and though Colin, in the estimation of Mr. Keene, did not care for the mud his victory was no more worthy of praise than that of Celt. Coming right back from his hard rece in the Belmont Fair Play's showing was remarkably good. He ruled second choice in the speculation, opening at 5 and closing at 6. Master Robert ran fully up to the liberally taken to show, so that it may be said

the bookmakers quit heavy losers on the result. This can be used by defenders of the sport as excellent proof that horse races as a rule are not fixed to ruin the Celt's wonderful speed was a revelation to experts and novices alike. Having run John E. Madden's King James compl off his feet before they were straightened out in the backstretch Celt was time the half milejin 0:48 3-5. He ran five furlongs in 0:50 2-5, passed the three-quarter

That was pace enough to take the heart out of any good horse, and when the clocks napped their watches at the end many of them said:

pole in 1:12, covered the seven-eighthe in

1:25 turned a mile in 1:38 2-5, breezed to

the mile and a furlong mark in 1:51 7-5 and

raced home a real turf king in 2:04 1-5.

"Colin could not have done better." THE LAME M'CARTER SCRATCHED. Though ten horses were named to start, only eight faced the barrier, the withdrawals being R. F. Carman's Rifler and the Newcastle Stable's McCarter. turned out that McCarter was scratch because he had developed lameness after i gallop on Sunday; in fact there was rumor that he was on the verge of a breakdown. McCarter's absence robbed the race of some interest, for it had been pre-

dicted that McCarter would be the horse

for Celt to beat. Looking over the field from a standpoint of class it could not be denied that it was inferior to other fields that have run for this classic. With Sam Hildreth's Mont-gomery far below his best form and with Old Honesty, Berkeley and Don Creole regarded merely as selling platers, it was figured out that Celt had only Fair Play, King James and Master Robert to best. If Colin had been in the race he would een a 1 to 10 shot, so the price of about Celt was extremely liberal. Man expected to see Celt quoted at 7 to 10, s when better than even money appeared

there was a rush to get aboard. The race was truly run, there being no traces of rough riding or crowding and the horses getting away to a splendid start executed by C. H. Pettingill, who handled the barrier in the absence of Mars Cassidy, whose wife had passed away after

a long illness. Though it looked like rain in the morning Though it looked has read to the popu-25,000 persons were on the way to the popu-cialcak, and when the lar track before 1 o'clock, and whe got there the sun burned its way through the gray clouds and turned the afternoon into a blaze of glory. It was magnificent racing weather for the sport of kings, and the great crowd entered into the spirit of the occasion with light heartedness and onthusiasm, indicating beyond measure the wonderful popularity of the turf.

HANDICAP ATTRACTS & LARGE CROWD. Though a larger crowd visited Belmont Park on Saturday and though Monday is usually an off day, the Brooklyn Handleap proved to be the same old powerful mag-net. Furthermore the fact that Celt looked to have the race at his mercy caused this re-markable assemblage to gather ready to

back the Keene colt at any price. In the ring set apart for grand stand patrons there were 125 layers, while 180 handled the elates in the field, and all of these chalkers had so much busin attend to that they did not enjoy a mo rest. The big race was the fourth on the